



Michigan Supreme Court
State Court Administrative Office

Case File Management Standards

AREA 5: Records Media

5.1: Micrographics

Micrographics is the reproduction of images in a variety of ways using various media. Microfilm is but one medium. Other media are microfiche, optical disk imaging, digitized imaging, etc. If micrographics is used, applications should be integrated into the activities of the court system pertaining to the receipt, processing, distribution, and storage of documents.

Component 37	Phases of File Management Where Used
Micrographics	Case initiation, maintenance, disposition to closing, post-adjudication

Standard:

Considerations:

- Requirements of a micrographics system should take into account the length of time records must be kept in accordance with the records retention and disposal schedule and the costs and benefits of present procedures compared to a micrographics applications. Costs components include: 1) equipment such as purchase or rental, work stations, maintenance, etc.; 2) supplies; 3) personnel costs; 4) facility costs; and 5) service bureau costs to compare against in-house micrographics operations.
- Records most suited to micrographics are those that must be kept permanently and those required to be microfilmed by statute or court rule (generally for security purposes). Records kept well over 10 years that pose accessing and spacing problems should also be considered for micrographics.
- The use of micrographics for active files should be justified by the requirements of operations. Once cases are disposed, the paper case files should be destroyed or removed to a lowcost remote storage. If this criteria does not exist, it is best to use micrographics after case closing.
- The use of micrographics for inactive records should be justified by the requirements of the records retention and disposal schedule and need for access. Avoid filming, imaging, or otherwise reproducing every document in a case file unless essential. Oftentimes, the register of actions, pertinent pleadings or other papers, and dispositive documents are all that need to be reproduced.

Case File Management Standards

5.1: Micrographics (continued)

Component 37 (continued)	Phases of File Management Where Used
Micrographics	Case initiation, maintenance, disposition to closing, post-adjudication

Procedures and Technical Requirements:

- Develop guidelines for a micrographics program, including procedures regarding: 1) document preparation; 2) reproduction/imaging/filming; 3) processing and developing; 4) inspection and quality-control for determining and monitoring quality; 5) duplication of original film, disk, etc.; 6) storage of film, disk, etc.; and 7) destruction of originals.
- Trial courts should observe the microfilm standards of the Michigan Historical Center of the Department of State; see the Microfilm Handbook: Michigan Local Government (1980) and State Archives Guide for Creating Microfilm to Store Public Records (in draft form, 1999).
- Trial courts should refer to the Michigan Historical Center's Optical Imaging System Rules (1998). [MCL 24.402]

Cross References: See Section 8-04 of the Michigan Court Administration Reference Guide for information on microfilm resources.



Michigan Supreme Court
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Case File Management Standards

AREA 5: Records Media

5.2: Facsimile and Other Forms of Transmission

Component 38	Phases of File Management Where Used
Facsimile and Other Forms of Transmission	Case initiation, maintenance, disposition to closing, post-adjudication

Standard: [Michigan Supreme Court AO 1994-2]

Authorization:

- A court must obtain authorization from the State Court Administrative Office to use facsimile communication equipment for the transmission and filing of court documents. Participating courts shall cooperate with the SCAO and provide information regarding the use of facsimile equipment for the filing and transmission of court documents.
- A court shall establish a local court rule regulating the use of facsimile communication equipment. [MCR 8.112(A)]

Documents Permitted to be Filed/Issued via Facsimile or Other Forms of Transmission:

- Courts may permit the filing of 8 ½" x 11" pleadings, motions, affidavits, opinions, orders, or other documents by the use of facsimile (FAX) communication equipment.
- Warrants may be issued by facsimile communication equipment and voice communication equipment in accordance with statute. [MCL 780.651, *People v Snyder*, 181 Mich App 768 (1989), *People v Paul*, 203 Mich App 55 (1993)]
- Some Uniform Law Citations may be issued by electronic means. [MCR 4.101(A)(1), MCR 8.125]

Paper Quality:

Documents intended to be filed in any court shall be on paper not subject to more rapid deterioration than ordinary typewritten material on ordinary paper.

Image Quality:

It is essential that a document remain legible, especially after successive transmissions. Repeated transmission of a document by facsimile, such as a search warrant, may decrease the image quality.

Case File Management Standards

5.2: Facsimile and Other Forms of
Transmission (continued)

Component 38 (continued)	Phases of File Management Where Used
Facsimile and Other Forms of Transmission	Case initiation, maintenance, disposition to closing, post-adjudication

Signature:

The signature required under MCR 2.114 includes a signature transmitted by facsimile communication equipment.

Special Criteria for Issuing Search Warrant by Electronic Device:

- Upon receiving an affidavit and proposed warrant by facsimile, the judge (or the magistrate, when appropriate) must sign and date the affidavit and search warrant upon receipt and transmit the signed warrant to the affiant.
- The clerk of the court shall file the return on the warrant after execution of the search.

General Criteria for Filing by Facsimile:

- A clerk shall not permit the filing of any document for which a filing fee is required unless the full amount of the filing fee is paid or deposited in advance with the clerk.
- Documents intended to be filed in any court shall be on paper not subject to more rapid deterioration than ordinary typewritten material on ordinary paper.
- The local court rule regulating the use of facsimile communication equipment shall provide the following:
 1. a reasonable fee, in addition to statutory filing fees, charged by the clerk, which takes into account the cost of equipment, paper, supplies, and telephone line charges.
 2. a maximum number of pages which may be sent at one time for any document or documents.
 3. the hours during which documents may be received.
 4. other reasonable requirements to promote the efficient filing of facsimile documents.
 5. the method of giving notice to attorneys and litigants of any facsimile filing requirements.